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10/099,958	03/19/2002	Sanjoy Paul	4611	6326

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EXAMINER

SIMMONS, JIM

ART UNIT

PAPER NUMBER

2141

DATE MAILED: 09/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/099,958

Applicant(s)

PAUL, SANJOY

Examiner

James J. Simmons

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-19 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 11, and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated over Gupta et al. (US 6,487,538).

a. As per claim 1, Gupta discloses:

In a communications network deploying a first cache between a user and a server, the improvement comprising:

the utilization of a second cache to aggregate user requests and responses according to a protocol between said first cache and an application server (col. 10 line 64 – col. 11, line 65).

b. As per claim 2, Gupta discloses the claimed invention as described above, and furthermore teaches:

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The improvement of claim 1, including a proxy module for checking whether a user request is already stored within said separate cache (Fig. 4a-4c; col. 10, lines 28-31).

c. As per claim 3, Gupta discloses the claimed invention as described above, and furthermore teaches:

The improvement of claim 1 employing a protocol between said user and server selected of any one of the group of HTTP, RTSP, FTP, LDAP, SNMP and WAP (col. 10, lines 41-63).

d. As per claim 11, Gupta discloses the claimed invention as described above, and furthermore teaches:

The improvement of claim 1, including a rule engine with an open interface for allowing third-party insertion of rules governing responses to user requests (col. 8, lines 44-57).

e. As per claim 13, Gupta discloses the claimed invention as described above, and furthermore teaches:

The improvement of claim 11, including means for tracking individual user access patterns to the Internet (Abstract; col. 6, lines 24-45; wherein user profile includes user access patterns).

f. As per claim 14, Gupta discloses the claimed invention as described above, and furthermore teaches:

The improvement of claim 13 wherein said means also allows dynamic insertion of rules based on such access patterns of said user to provide profile-based services thereto (Abstract; col. 6, lines 24-45; wherein user profile includes user access patterns).

g. As per claim 15, Gupta discloses the claimed invention as described above, and furthermore teaches:

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The improvement of claim 13, including a database of information to provide location-based services to said user (Abstract; col. 6, lines 24-45).

4. Claim 19 is rejected under 35 U.S.C. 102(e) as being anticipated over Stevenson et al. (US 2003/0014483).

a. As per claim 19, Stevenson discloses:

The improvement of claim 1, including an Application Programming Interface (API) for third-party writing of applications for the network (Abstract; p. 0080).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4-5, 8-10, 12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al. (US 6,487,538) in view of McHenry et al. (US 2003/0115421).

a. As per claim 4, Gupta discloses the claimed invention as described above. Gupta does not explicitly teach the limitations of claim 4. However, McHenry teaches:

The improvement of claim 1 in an Internet Service Provider Network employing a second cache to aggregate requests and responses according to an Internet Content Adaptation Protocol (ICAP), including means for transforming deployed non-ICAP-enabled caches to an ICAP-

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enabled cache format (Fig. 1-3; p. 0053). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ICAP enabled caches of McHenry into the proxy cache system of Gupta, since the field of invention for both Gupta and McHenry pertains to proxy cache systems inserting metadata into distributed content over the internet.

b. As per claim 5, Gupta-McHenry disclose the claimed invention as described above, and Gupta furthermore teaches:

The improvement of claim 4 wherein said means includes an HTTP adapter (col. 10, lines 41-63).

c. As per claim 8, Gupta-McHenry disclose the claimed invention as described above, and McHenry furthermore teaches:

The improvement of claim 4, including means for transforming deployed WAP caches to an ICAP-enabled WAP cache format (p. 0053).

d. As per claim 9, Gupta-McHenry disclose the claimed invention as described above, and McHenry furthermore teaches:

The improvement of claim 8 wherein said means includes a WAP adapter (p. 0053).

e. As per claim 10, Gupta-McHenry disclose the claimed invention as described above, and McHenry furthermore teaches:

The improvement of claim 4, including means for transforming a non-ICAP-enabled application server to an ICAP-enabled application server (p. 0053).

f. As per claim 12, Gupta-McHenry disclose the claimed invention as described above, and McHenry furthermore teaches:

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The improvement of claim 11 wherein said rule engine allows dynamic insertion of rules based on the then desires of application servers to the Internet (p. 0016-0018; wherein global content director allows dynamic insertion of rules).

g. As per claim 18, Gupta-McHenry disclose the claimed invention as described above, and Gupta furthermore teaches:

The improvement of claim 4, including a rule engine with an open interface for allowing third-party insertion of rules governing responses to user requests (col. 8, lines 44-57).

7. Claims 6-7 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al. (US 6,487,538) in view of McHenry et al. (US 2003/0115421) and Bhagavath (US 6,505,169).

a. As per claim 6, Gupta-McHenry disclose the claimed invention as described above. Gupta-McHenry do not explicitly teach the limitations of claim 6. However, Bhagavath teaches:

The improvement of claim 4, including means for transforming streaming caches to an ICAP-enabled streaming cache format (col. 4, line 66 - col. line 19). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the streaming cache servers of Bhagavath into the ICAP enabled cache system of Gupta-McHenry, since the field of invention for both Bhagavath and Gupta-McHenry pertains to proxy cache systems inserting metadata into distributed content over the internet, and since inserting metadata into streaming data content is desirable (Gupta, col. 16, lines 28-24).

c. As per claim 7, Gupta-McHenry-Bhagavath disclose the claimed invention as described above, and Bhagavath furthermore teaches:

The improvement of claim 4 wherein said means includes an RTSP adapter (Abstract; wherein the system can support many streaming data protocols).

d. As per claim 16, Gupta-McHenry-Bhagavath disclose the claimed invention as described above, and McHenry furthermore teaches:

The improvement of claim 4, also including means for transforming deployed streaming caches to an ICAP-enabled streaming cache format, and means for transforming deployed WAP caches to an ICAP-enabled WAP cache format (p. 0053).

e. As per claim 17, Gupta-McHenry-Bhagavath disclose the claimed invention as described above, and McHenry furthermore teaches:

The improvement of claim 4, including means for transforming deployed non-ICAP enabled caches to an ICAP-enabled cache format, means for transforming deployed streaming caches to an ICAP-enabled streaming cache format, and means for transforming deployed WAP caches to an ICAP-enabled WAP cache format (p. 0053).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's discloser.

a. Chin et al. (US 2001/0029455) disclose method and apparatus for providing multilingual translation over a network.

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- b. Kauffman et al. (US 2002/0073084) disclose seamless arbitrary data insertion for streaming media.
- c. Lahr et al. (US 2002/0023165) disclose method and apparatus for encoder-based distributing of live video and other streaming content.
- d. Hart, III et al. (US 2001/0037465) disclose method and system for data delivery and reproduction.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James J. Simmons whose telephone number is (517) 272-8668.

The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER